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March 24, 2021

The Honorable Leonard P. Stark  
U.S. District Court for the District of Delaware  
844 North King Street, Room 6325, Unit 26  
Wilmington, DE 19801-3555

**RE: *DataCloud Technologies, LLC v. Squarespace, Inc.* - No. 1:21-cv-164-LPS  
*Hanger Solutions, LLC v. Squarespace, Inc.* - No. 1:21-cv-774-UNA**

Dear Chief Judge Stark,

On behalf of DataCloud Technologies, LLC (“DataCloud”) we write to respond to the June 2, 2021 letter filed by counsel for Squarespace, Inc. (No. 1:21-cv-164-LPS - D.I. 19; No. 1:21-cv-774-UNA – D.I. 6). The undersigned respectfully disagrees that the two cases are properly deemed Related Actions under this Court’s Local Rules.

First, these cases involve different patents, covering different inventions, with different inventors, and that are from different patent families. *See* D. Del. LR 3.1(b)(3). Second, as a result of the fact that the cases involve disparate patents, the cases do not involve “substantially the same . . . property.” *See* D. Del. LR 3.1(b)(2). Third, the patents in the two lawsuits are owned by a different parties; DataCloud, on the one hand, and Hanger Solutions, LLC (“Hanger”), on the other. *See* D. Del. LR 3.1(b)(2) (requiring “the same or substantially the same parties”). While both DataCloud and Hanger share Brainbox Innovations, LLC as a corporate parent, as indicated in the respective Fed. R. Civ. P. 7.1 disclosures (No. 1:21-cv-164-LPS - D.I. 4; No. 1:21-cv-774-UNA – D.I. 4), that does not make them “substantially the same parties.”

Fourth, although it is theoretically possible that, in a broad sense, similar invalidity arguments could be raised as to each of the patents in each of the lawsuits, the patents in the two lawsuits are wholly unrelated, so it is implausible that the “invalidity defenses in both cases that are in some respects *identical*,” as asserted by Squarespace. *See* D.I. 19, p. 1 (emphasis added); D.I. 6, p. 1 (same). Fifth, the systems accused of infringement are not identical. In the DataCloud case (No. 1:21-cv164-LPS), Squarespace’s “website design/website builder product” is accused of infringement. D.I. 1. In the Hanger lawsuit (No. 1:21-cv-774-UNA), Squarespace’s “website design and hosting platform and tools” are accused of infringement. Moreover, different and discrete technical elements of these systems are implicated by each of the asserted patents.

Given these circumstances, we believe it would have been improper to affirmatively represent to the Clerk of the Court that these cases were “related actions” under this Court’s Local Rules when the Hanger case was filed.

Regardless, neither DataCloud nor Hanger have any objections to the Hanger lawsuit (No. 1:21-cv-774-UNA) also being assigned to Your Honor.

The Honorable Leonard P. Stark

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Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Stamoulis', with a long horizontal flourish extending to the right.

Stamatios Stamoulis (#4606)

*Counsel for DataCloud Technologies LLC  
and Hanger Solutions LLC*

cc: Counsel of Record (via CM/ECF)